

In re Patent Application of:  
**ROY**  
Serial No. 10/777,871  
Filing Date: **February 12, 2004**

---

#### REMARKS

The Examiner is thanked for the thorough examination of the present application. Independent Claims 1, 12, 18, 24 and 29 have been amended to further define over the prior art. Dependent Claims 2, 4, 5, 6, 9, 11, 13, 15, 16, 17, 19, 21, 22, 23, 25, 26, 27, 28, 30, 31, 32, 33, have been amended for consistency. The patentability of the claims is discussed below.

#### I. The Claimed Invention

The present invention, as recited in amended independent Claim 1, for example, is directed to a communications system including a plurality of mobile wireless communications devices. Each of the plurality of mobile wireless communications devices includes a respective software client using at least one of a plurality of different operating protocols as configuration commands and instructions for accessing electronic mail (email) to send at least one access request. The communications system also includes a plurality of email data storage devices for storing email data files. Each email data file is associated with a respective mobile wireless communications device, and each email data file has a unique identification (UID) associated therewith. Each email data storage device also uses at least one of the plurality of different operating protocols.

The communications system also includes a protocol interface device including a protocol converter module for communicating with the respective software client of each of the plurality of mobile wireless communications devices using

In re Patent Application of:  
**ROY**  
Serial No. **10/777,871**  
Filing Date: **February 12, 2004**

---

respective operating protocols thereof. The protocol interface device also includes a protocol engine module for communicating with the plurality of email data storage devices using respective operating protocols thereof.

The protocol engine module is also for initiating polling of the email data storage devices for UIDs of email data files stored thereon to maintain a UID list, and for cooperating with the protocol converter module to provide the UID list to the respective software client of each of the mobile wireless communications devices upon receiving access requests therefrom. The protocol engine module also initiates polling without mobile wireless communications device initiated configuration commands and instructions from the software clients irrespective of communications with a mobile wireless communication device.

Amended independent Claims 12 and 18 are directed to related protocol interface devices. Moreover, amended independent Claim 24 is directed to a related method, and amended independent Claim 29 is directed to a related computer-readable medium. Independent Claims 12, 18, 24, and 29 have been amended similar to amended independent Claim 1.

## **II. The Amended Claims Are Patentable**

The Examiner rejected independent Claims 1, 12, 18, 24, and 29 over Hoglund et al. Hoglund et al. is directed to a communications system for transmitting signals from a first communication device to a second communication device at a user specified real time and/or a polled transmission. More

In re Patent Application of:  
**ROY**  
Serial No. **10/777,871**  
Filing Date: **February 12, 2004**

---

particularly, Hoglund et al. discloses a wireless messaging service that allows users to transmit and/or receive email and other messages on a real-time basis via an email account associated with the wireless communications device. Users can also check email messages stored within a separate POP or IMAP email account.

Independent Claims 1, 12, 18, 24 and 29 have been amended to recite the data storage devices and data files are email data storage devices and email data files, respectively. Independent Claims 1, 12, 18, 24 and 29 have also been amended to recite the protocol converter module communicates with the respective software client of the plurality of wireless communications devices, and the protocol engine module cooperates with the protocol converter module to provide the UID list to the respective software client of the mobile wireless communications devices upon receiving access requests therefrom.

Independent Claims 1, 12, 18, 24 and 29 have been further amended to recite the protocol engine module also initiates polling without mobile wireless communications device initiated configuration commands and instructions from the software clients irrespective of communications with a mobile wireless communication device.

Applicant submits that Hoglund et al. fails to disclose the protocol engine module also initiating polling without mobile wireless communications device initiated configuration commands and instructions from said software clients irrespective of communications with a mobile wireless communication device.

In re Patent Application of:  
**ROY**  
Serial No. **10/777,871**  
Filing Date: **February 12, 2004**

---

Instead, Hoglund et al. discloses that the wireless devices initiate polling by instructing the agent gateway to perform a polling operation, either on a fixed schedule or at the user's direction (i.e., manually). (See Hoglund et al., Paragraphs 0034 and 0035). That is, Hoglund et al. teaches that polling occurs only upon the occurrence of device-initiated commands. In stark contrast, the above-noted amended independent claims recite that polling occurs without device initiated commands irrespective of communications with a mobile wireless communications device. Accordingly, Hoglund et al. fails to disclose the claimed invention.

It is submitted that amended independent Claims 1, 12, 18, 24, and 29 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

In re Patent Application of:  
**ROY**  
Serial No. 10/777,871  
Filing Date: **February 12, 2004**

---

**CONCLUSION**

In view of the arguments and amendments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,



---

DAVID S. CARUS  
Reg. No. 59,291  
Allen, Dyer, Doppelt, Milbrath  
& Gilchrist, P.A.  
255 S. Orange Avenue, Suite 1401  
Post Office Box 3791  
Orlando, Florida 32802  
Phone: 407-841-2330  
Attorney for Applicant